United States District Court Southern District of Iowa

Presiding: Honorable HELEN C. ADAMS

Criminal No. 4:16-cr-00179-001 Clerk's Court Minutes - Plea

United States of America vs. David Ray Nelson

Gov. Atty(s): Clifford D. Wendel
Def. Atty(s): Angela Lynnette Campbell
Court Reporter: Kelli Mulcahy
Interpreter: N/A

Date: January 27, 2017
Time Start: 11:08 a.m.
Time End: 11:38 a.m.

☑ Indictment ☐ Superseding Indictment ☐ Information

In Two Count(s) - Code Violation:

ACTIVITIES RE MATERIAL CONSTITUTING/CONTAINING CHILD PORNO 18:2252(a)(2), 2252(b)(1), 2256 Receipt of Visual Depictions of Minors Engaging in Sexually Explicit Conduct
(1)
ACTIVITIES RE MATERIAL CONSTITUTING/CONTAINING CHILD PORNO 18:2252(a)(4)(B), 2252(b)(2), 2256 Possession of Child Pornography
(2)

Waiver of Indictment filed: ☐
Information filed: ☐
Arraignment conducted: ☐
Statement by deft. in advance of plea of guilty filed: ☐
Defendant sworn: ☑
Defendant advised of potential perjury charges: ☑
Plea Agreement filed: ☑
- Defendant understands: ☑
- Defendant agrees: ☑

Defendant advised of nature of charges: ☑
Defendant advised of elements: ☑
Defendant satisfied with attorney: ☑
Defendant advised of penalties: ☑
- Maximum fine/incarceration: ☑
- Mandatory minimum fine/incarceration: ☐
- Forfeiture/restitution: ☑
- Supervised Release: ☑
- Mandatory special assessment: ☑
- No promises made regarding sentence: ☑

Defendant advised of sentencing guidelines: ☑
Defendant waives rights to jury trial: ☑
Defendant advised of right to persist in not guilty plea: ☑

Defendant plea of guilty to count(s): 2, agrees to forfeiture
Court findings:
- Factual basis: ☑
- Voluntariness: ☑
- Competency to plea: ☑

Court accepts plea: ☐
Court rejects plea: ☐
Offense Conduct Statement due: To be set via future Order
Presentence report to be disclosed to counsel by: To be set via future Order
Deadline to submit objections to presentence report to Probation Office: To be set via future Order
Applicability of advisory guideline to the Court by: To be set via future Order
Sentencing date: 06/01/2017 at 10:00 a.m.
Detention hearing conducted: ☐
Bond previously set:
Bond continued: ☐
Bond changed to:

Minutes:

Defendant appeared with retained counsel Angela Campbell. Stipulated consent to Magistrate is filed and accepted by the Court. Defendant is sworn and pleads guilty to Count Two of the Indictment and agrees to forfeiture provisions. Court orders plea agreement filed. The Court will file a Report and Recommendation that the defendant's guilty plea be accepted as of the date of this hearing. Counsel is informed they have 14 days to file any objection to Report and Recommendation. Sentencing is set for June 1, 2017, at 10:00 a.m. before the Honorable Stephanie M. Rose. Defendant is remanded to U.S. Marshals Service custody pending sentencing.

/s/ K. Herrera
Deputy Clerk